

The Investigation Committee Meeting

Re: The matter of the approval of the JAPAN-THAILAND AGREEMENT concerning the passage of JAPANESE troops through THAILAND territory and one other question.

Meeting held in the antechamber, East No. 3, of the Palace, on December 20 (Saturday), 16th SHOWA (1941).

Persons present:

HARA, Chairman of the Privy Council,
SUZUKI, Vice-Chairman of the Privy Council, and Chairman
of the Investigation Committee,

Members of the Investigation Committee:

ISHII, (Privy) Councillor	
ARIMA	"
KUBOTA	"
ISHIZUKA	"
SHIMIZU	"
MINAMI	"
NARA	"
ARAKI	"
MATSUI	"
SUGAWARA	"
MATSUURA	"
USHIO	"
HAYASHI	"
FUKAI	"
FUTAGAMI	"
NANO	"
OBATA	"
TAKEKOSHI	"
YAMAMOTO MITSUCHI	"
ISAWA	"
IKEDA	"

Persons absent:

KANEKO (Privy) Councillor
OHSHIMA "

State Ministers:

TOJO (Prime Minister
(Minister of Home Affairs
(Minister of War

State Ministers (Cont'd):

TOGO, Minister of Foreign Affairs

Explainers:

MORIYAMA, Chief of the Legislative Bureau
SATO, Councillor of the Legislative Bureau
MIYAUCHI, Councillor of the Legislative Bureau
MATSUMOTO, Chief of the Treaty Bureau, Foreign Ministry
TSUKAMOTO, Acting Chief of the Southern Bureau,
Foreign Ministry
NISHIMURA, Secretary of the Foreign Ministry
TOHKOH, Secretary of the Foreign Ministry
KAI, Secretary of the Foreign Ministry
HAGA, Secretary of the Foreign Ministry
FUTOH, Chief of Military Affairs Bureau, War Ministry
NAKAMURA, Major
OKA, Chief of Naval Affairs Bureau, Navy Ministry
HORIE, Chief Secretary
HOPONASHI, Secretary
TAKATSUJI, Secretary

(Meeting commences at 9:10 A.M.)

SUZUKI, Chairman of the Committee, declares the meeting in session.

Explanations were given by Prime Minister TOJO as to the policy toward THAILAND as a result of the outbreak of war against the U.S. and BRITAIN, and by Foreign Minister TOGO as to the circumstances which led up to the conclusion of the subject matter (viz: the agreement and treaty of alliances) and of the outline of the contents, as per attached sheet. Following, War Minister TOJO explained, from the military standpoint, why this present measure had been necessary.

The interpellation by member of the committee:

ISHII, as to the reason why /necessary/ procedure for the approval of the JAPAN-THAILAND AGREEMENT had not been taken immediately, and why the agreement was not going to be publicly announced, were explained by Foreign Minister TOGO, that there was no special necessity for hastening the approval of the agreement, and that, because the agreement was a stepping stone to the development of a treaty of alliance, /we/ intended to, after obtaining the definite plan, submit both for Imperial Sanction,

and as to not announcing the treaty, is because the purport of it has been announced, and moreover with the establishment of the treaty of alliance the agreement shall become null and void, the contents of which shall be included in the treaty.

KUBOTA asked as to the opinion of the authorities that there must be important items in the contents of the details of enforcement which are to be negotiated and concluded between JAPAN and THAILAND, according to Article III of the treaty of alliance, it is deemed appropriate that, when these are to be decided, steps for them should be referred to the Council and Imperial Sanction be obtained. It was then explained by Foreign Minister TOGO that procedure for reference to the Council should be taken according to the importance of the subject in question. Prime Minister TOJO added that what are being considered at present are military problems, which are to be negotiated between our Army authorities abroad and THAILAND and we are not intending to refer such to the Council or obtain Imperial Sanction. Finally the Chief of the Legislative Bureau MORIYAMA explained that, in as far as details of enforcement there is no necessity to refer them to the Council or obtain Imperial Sanction, but those which are not recognized as detailed regulations for execution should naturally be referred to the Council and formed as a separate treaty.

ISHIZUKA, as to THAILAND's desire for the recovery of lost territory, in regard to the secret agreed terms of understanding was clarified by Foreign Minister TOGO that THAILAND has not expressed to us any concrete expectations about the recovery of lost territory, and because we considered that the frontier between FRENCH INDO-CHINA and THAILAND was decided for the time being by the previous arbitration, the point in question shall be considered in another way.

SHIMIZU, as to the basis of the government as well as the strength of the military force of THAILAND, was answered by Foreign Minister TOGO that, the present government is becoming stronger, and by War Minister TOJO, that the THAILAND Army is about 30,000 strong with about 3,000 planes in its Air Force, as well as several naval vessels.

MIKAMI, as to:

(1) the reasons why no stipulation had been made as regards the construction of the so-called New Order in this treaty, was clarified by Foreign Minister TOGO that though no stipulation had been made negotiations shall be held when necessary;

(2) whether the obligation of assistance of Art. 2 of the treaty of Alliance will arise in disregard of the origin of the outbreak of the conflict was explained by Foreign Minister TOGO that to make the Allied relations stronger it was decided to disregard the cause/of the conflict/ as in the case of the treaty of alliance with GERMANY and ITALY;

(3) our attitude when THAILAND, planning to regain her lost territory in CAMBODIA, should come into contact with FRENCH INDO-CHINA, was explained by Prime Minister TOJO that, as the treaty in question is for the purpose of contributing towards the execution of the war confronting our nation at present, such instances shall be appropriately resolved because of the existence of our national power notwithstanding the contents of the treaty;

(4) the terms of validity of the secret-agreed terms of understanding was explained by the Chief of the Treaty Bureau MATSUOTO that as such terms are attached to the treaty of alliance the term of validity shall be the same as that of the treaty itself;

(5) asked whether a problem would not arise in case the secret agreed terms of understanding should leak out to the FRENCH since JAPAN had guaranteed the boundary line between THAILAND and FRENCH INDO-CHINA and also since the important portion of THAILAND's lost territory is situated in FRENCH INDO-CHINA, Prime Minister TOJO explained that as to the present measures our demands alone being too severe we are attempting to win over THAILAND by means of items of understanding and that the realization of the same in BRITISH MALAY and BURMA will be given due consideration. /T.N. The JAPANESE text is not altogether clear, but according to TOJO's explanation it can be read that the demand on THAILAND is too severe to win her over to the JAPANESE side and consequently the agreed terms of understanding were handed over as a sop and the same method will be considered when dealing with BRITISH MALAY and BURMA./

USHIO asked as to THAILAND's position in the present war in regard to the application of the treaty of alliance, Foreign Minister TOGO explained that as to the war against the U.S. and BRITAIN the application of ARTICLE II is clarified in the agreed terms of understanding and as to the application of ARTICLE IV, while THAILAND has not yet declared war against the U.S.A. and BRITAIN, thereby formally she is not included /in the case of a war executed co-operatively/, but she is enacting various laws and regulations conforming as if the U.S. and BRITAIN were her

enemies. And since THAILAND is actually participating in the war, it could be recognized that the above case had been fulfilled.

~~FUTAGAWA~~ ^{FUKA}'s questions as to whether there are special agreements to be concluded in the application of ARTICLE II of the treaty for the acquisition of materials, and as to the mistake of "shall give" "giving of" in ARTICLE I of the English text of the agreement were explained by the Chief of the Treaty Bureau MATSUOTO:

~~FUTAGAWA~~ ^{FUKA}'s question as to the reason why /the word/ "ad referendum" had not been added to the treaty, and as to whether the separate peace in ARTICLE IV means mutual understanding as to consulting about the conditions of peace, Chief of Treaty Bureau MATSUOTO explained that, in order to secure unity in the THAI Government at such a delicate period, approval as a condition was not inserted in the agreement, and also that mutual understanding is required even in the case of negotiations about the conditions of peace. FUTAGAWA also stated that the detailed item of enforcement in ARTICLE III of the treaty, like items to be concluded by a treaty, are based on the exercise of the Imperial authority, consequently, ought to naturally be referred to the Privy Council. The Chief of the Legislative Bureau, MORIYAMA explained the government's opinion that as far as the execution of the detailed items in ARTICLE III is concerned it is sufficient to consult the authorized officials for decisions. It is not necessary to get a fresh Imperial Sanction and consequently it will not be submitted for Imperial consultation. The JAPAN-ITALIAN cultural Agreement is an example of this type. There is nothing particular in the present arrangement.

The chairman of the committee SUZUKI hereby declared the conclusion of the interpellations, and requested the withdrawal of the State Ministers and explainers.

/Ministers of State and explainers retire./

As a result of discussion among the members of the Committee it was unanimously decided that the present draft shall be adopted without alterations.

Thereupon the Chairman of the Committee SUZUKI declared the meeting closed.

/Meeting closed at 11:00 A.M./

Top Secret

Foreign Minister TOGO's Draft Explanation regarding the Japan-Thailand Agreement concerning the passage of Japanese troops through Thailand and the Treaty of Alliance between Japan and Thailand.

1. Progress of Negotiations:

According to the MATSUOKA-HENRY Agreement concluded on 30 August last year /1940/ Japanese troops were stationed in TUNGKING Province in Northern French Indo-China in September last year. On July 29th of this year an agreement was concluded between Japan and France covering a united defense of French Indo-China and Japanese troops stationed in the southern part of French Indo-China when economic and political pressure from America and England toward Japan became increasingly obvious and their anti-Japanese plotting in Thailand became serious. Also they tried to make Thailand join their side - their so-called A B C D camp - by threatening Thailand. When the Japan-America negotiations came to a break it was absolutely necessary for Japan to keep Thailand to her side. Therefore, previous to this, instructions had been given to Ambassador TSUBOGAMI regarding this point.

Japan gave her last reply to America at 3 a.m. on the 8th /1941/. At 6 p.m. on the 7th we gave TSUBOGAMI instructions to have an interview with Premier Phibun and have Thailand accept our request giving them 12 hours' time for consideration. However Phibun's whereabouts was not known since the morning of the 7th, and so TSUBOGAMI was unable to propose an interview within the time specified. He talked the matter over with senior staff officials of the Thailand Government who stayed at Bangkok, but they only stated that they had no power to take any action in the absence of the Prime Minister. Meanwhile our army came to be obliged to start their action without waiting Siam's permission. On the 8th at 9:30 Phibun returned and so TSUBOGAMI explained all what he had done in vain since the morning of the previous day and how our troops had been obliged to start action according to their plan already mapped, and when he asked Phibun to understand this particular situation and submitted our request, he accepted it. Thus, between Ambassador TSUBOGAMI and Thailand Foreign Minister Direk /phonetic/, an agreement was signed regarding the Japanese troops passing through Thailand territory.

Japan wanted, if possible, to have an Offensive and Defensive Alliance Pact concluded with them as well, to secure Siam's positive cooperation with us in the war, but on the part of Thailand they were under the impression that they had been obliged, by force, to accord with us, and also they had fear about the result of the war. Further on our part we were in a position to feel that we should be satisfied because we had attained our object for the present. In order to have Thailand cooperate with us in our war against America and England the above mentioned agreement is not sufficient. Therefore we kept on trying to have Thailand accord with Japanese policy not only in military affairs but also in the sphere of administration and economy, also to positively participate in the establishment of a new order in the Eastern Asia. As a result of hard work on the part of our diplomatic organ in Thailand, together with the brilliant war results since the outbreak of the war, Premier Phibun was induced to recognize the inevitability of their joining Japan, and made him decide to sever their diplomatic relations with America and England, and thus Ambassador TSUBOGAMI and Premier Phibun agreed to conclude an Offensive and Defensive Alliance between the two countries. Then at once we started on negotiations regarding the draft bill and now we have arrived at a conclusion of a draft of the Alliance Treaty between Japan and Thailand.

2. Explanation of Details

(a) Dec. 8th Agreement

In the agreement concerning Japanese troops passing through the territory of Thailand, concluded between Japan and Thailand it was agreed (1) Thailand to permit Japanese troops to pass through her land and give them necessary facilities, therefore, also take necessary steps, at once, to actually provide for averting struggles between Japanese and Thailand troops, (2) Details involved for carrying out the above statement agreement shall be made between the army authorities of the two countries, (3) Japan to respect and guarantee the independence, sovereignty and honor of Thailand.

Furthermore, this agreement was concluded under the circumstance mentioned in the beginning and as there was no time to take necessary steps before the Japanese troops actually passed, we had the agreement signed on condition that

it should be approved by the Thailand Government, and now we have arranged for Imperial approval. - - - - -

(b) Alliance Treaty

The Alliance Treaty between Japan and Thailand consists of five Articles besides the preamble, the conclusion and Items to be secretly understood are added to it. In the preamble the meaning and the object of this Treaty are briefly given and it is clearly stated that this Treaty is worked out with a decision that all the root of evil which may hinder the establishment of a new order shall be thoroughly weeded out.

Art. 1. provides to establish an Alliance relation between Japan and Thailand on the basis of mutually respecting independence and sovereignty. By this Article an alliance relation between the two countries both at the time of peace and war is established.

Art. 2 is a statement which makes clear the basic relation covered by the Offensive and Defensive Alliance. In case a military conflict arises between one of the allied countries and a third country the other allied country shall at once take her side and assist her politically, economically and with military measures.

Art. 3 stipulates that items actually carried out shall be conferred and decided between competent authorities of the two countries.

Art. 4 is an article pertaining to non-single-peace. This Article treats Japan and Thailand on a perfectly equal ground, and expresses sincere spirit to be faithful to allied duty

Art. 5 refers to the effective term. This Treaty is effective for ten years and the participant countries shall confer regarding the renewal before it expires.

Items to be Secretly Understood cover those details concerning actual running of the Treaty, and Item 1 states that Japan shall assist Thailand in the recovery of her lost territory. Here "her lost territory" means mostly old Siamese territory in Burma and Malay which were plundered by England. Item 2 stipulates that Thailand has to assist Japan

because there already exists war condition between Japan and America and England. This is a matter of course in regard to the application of Art. 2. The part at the end of Art. 2 which refers to cooperation is a matter which needs no further statement as it says that all kinds of assistance shall be given. However we specially put it down in order to make it clear.

Item 3 states that the contents of Agreement of Dec. 8 have been included into this Treaty, therefore, the same Agreement shall become null and void as soon as the Alliance Treaty becomes effective.

3. Conclusion.

Now I have given a general explanation on the Dec. 8th Agreement, and the Alliance Treaty which is now to be signed. Kindly examine them.

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No. 1 七

日本國軍隊、[△]「タイ」國通過ニ関スル日本國
「タイ」國間協定及日本國「タイ」國間同盟
條約。関スル外務大臣説明案

二 交渉経緯

客年八月三十日、所謂松岡「アムリ」協定ニ依
リ客年九月帝國軍隊、佛印北部「トンキン」州ニ
進駐シタガ本年七月二十九日佛領印度支那、
共同防衛ニ関スル日佛議定書締結セラシ帝國軍
隊が更に南部佛印ニモ進駐スルニ及ビ本英兩國、帝
國ニ對スル經濟的及政治的圧迫ニ愈々露骨ナリ
方「タイ」國ニ於ケル兩國、暗躍及反日策動ハ益々
烈ナリ「ビルマ」及「マレー」國境ニ大軍ヲ集結シ
以テ「タイ」國ヲ威嚇シツツ之ヲ所謂 ABC
D 陣營ニ引込メント計畫スル如ク、テアリマ
ス。

斯ル情勢ニアツテ日米交渉が繼續セラシタマ
リマスが右交渉が決裂、避ケ難キナリヤ對米
英戦争遂行シ「タイ」國ヲ軍事的及經濟的ニ我
方ニ於テ確保スルコトガ絶對要件ナルコトヲ慮リマシ
テ對「タイ」施策ニ關シ豫テ政府統帥部間ニ於
テハ軍事外交、一致セム方針及措置ヲ決定シテ在
リ「タイ」埠上大使ニ指示シテ遣イタマシテアリマス。

帝國政府ハ八日午前二時(日本時間以下同)米
國政府ニ對シ最後、回答ヲ與ヘ「タイ」ニアリスガ

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No. 2 女

トハ大使ニ對シテハ其ノ前日七日午後六時「ヒア」首相ト面會シ十二時間餘格ヲ置キ我要求ヲ申入ルベク訓令ヲ發シテ置イタノデアリマス。然レニ「ヒア」ハ七日朝以來其ノ所在不明、爲豫定ノ時刻ニ申入シヲ行フヲ得ズ坪上大使ハ已ムナク「バンフック」ニ幾ツテ居リマシタ「タイ」國政府幹部ト折衝シマシタガ彼等ハ首相不在中決定權ヲ有セズト陳辯スルハカリテ坪上ガアカズ其ノ内ニ我軍ハ「タイ」國、同意ヲ得タズ行動ヲ開始セハラ得ナクナツタノデアリマス。八日午後九時半ニ至リ漸ク「ヒア」首相ガ歸來シマシタ、坪上大使カラ前日朝以來種々會談方々ヲ盡シタレドモ是レハ我軍人既定作戰計畫遂行、已ニナキニ立テリ行動ヲ開始シタ事ヲ説明シ其ノ了解ヲ求メ我方要求ヲ提出シマシタ處「ヒア」首相ハ之ニ應諾シ坪上大使ト「デイ」ツク外相ト、間ニ日本國軍隊ノ「タイ」國領域通過ニ関スル日本國「タイ」國間協定ガ署名調印セラシタノデアリマス。

我方ノ希望トシテハ出来得シハ軍隊通過ノミナズ攻守同盟ヲ締結シ積極的ニ「タイ」國ヲミテ軍事的協力ヲモ承諾セシメタカウタノデアリマスガ「タイ」側ニ於テハ強力ノ前ニ屈シタ感強ク又戦争ノ結果ニ付テモ危惧ヲ抱イタト我方トシテモ目前、必要タル軍隊通過ノ許容ヲ取付トシタノデ一應コシテ兩

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No. 3 ★

足シタ、デアリマス。帝國、昨米英戦争遂行ニ「タイ」國ヲシテ協力セシムル爲ニ、何論右協定、不十分デアリシテ「タイ」國ヲシテ軍事的、ミナズ政治的、經濟的ニ帝國ノ政策ニ同調セシメ、且東亞新秩序建設ニ積極的ニ協力セシムル爲ニ更ニ之ヲ強化スベクガ力シ續ケテ居リマス中、現地外交機關、異常ナル努力ハ開戦以來、帝國陸海軍、揮カシキ戦果ト相俟ツテ遂ニ「タイ」首相ヲシテ曰「タイ」提議、必然性ヲ認識シムルト共ニ米英トノ國交断絶ヲ辭セサル、決意ヲ固メシムルニ至リ十一日午後一時、政守同盟締結ニ付坪上大使ト「ビアン」首相トノ間ニ意見一致ヲ見タ次第デアリマス。ソレヨリ直ニ英文交渉ニ入り今般日本國「タイ」國間同盟條約、案文受結ニ到達シタデアリマス。

二、内容、説明

(1) 十二月八日、協定

日本國軍隊、「タイ」國通過ニ因スル日本國「タイ」國間協定ニ於テハ(一)「タイ」國ハ帝國軍隊「タイ」國通過ノ許可、右通過、爲必要ナル諸般、便宜供與及日「タイ」兩國軍隊衝突回避措置、即時実行ヲ約シ(二)之が実行、細目二箇ニハ兩國軍事官憲之間ニ協定セラルベキニ之が定メラル又(三)帝國ハ「タイ」國ノ獨立、主權及名譽、尊重ヲ保

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障ニテ居ル、デアリマス。

尚本協定、前記、如キ状況ニ於テ、署名セラレタモ
、デアリマス。事、前ニ手續キテ西復ム進ガナカシ
、デ已ムヲ得ス政府、承認ヲ條件トシテ署名イタ
サセ茲ニソ、御承認、手續ヲトツタ次ヤデアリマ
ス。從來ノ例ト異リ協定書、モ、ニ政府承認
ヲ條件トシテ、ト記載シナカシタ、ハ先方ニ於テ
村田閣係上不確定ト體裁ヲ避ケニコトヲ希望シ
タル、デ秘密交換文、文中ニ其、ヨリ明ニスルコト
トシタ、デアリマス。

(四) 同盟條約

日本國「タイ」國間同盟條約、前文及本文、外五
條ヨリ成リ秘密ヲ解事項カ之ニ附屬シ居リマス。
條約前文ニ於テハ今次同盟、意義及目的ヲ簡潔
ニ述ベ東亞新秩序建設、障礙トナル一切ノ禍根ヲ
其除根絶スル決意ヲ以テ本條約、締結サレタコト
ヲ明ニシテセリマス。

第一條ハ相互、独立及主權尊重、其基礎ニ於テ日
「タイ」間一同盟關係ヲ設定スルコトヲ規定シテ居リ
マス。本條ニ依リ兩國間ニ平時ト戰時ト兩時代
ニ亘リ同盟關係が確立サレタ、デアリマス。

第二條ハ兩國、攻守同盟、其本關係ヲ明ニシタ條
文デアリマス。苟クモ日「タイ」何レカノ一方ト
第三國ト、間ニ武力紛争が發生スルハ他方ハ直

No. 5

Doc 1187-6

ニ其同盟國トシテ之ニ味方ヲ有ラニ政治的、
經濟的及軍事的方法ニ依リ之ヲ支援スベキコトヲ
規定サント居リヌ。

第三條實施細目ハ兩國權限アル官憲間協議
決定セラルベキトノ規定ト居リヌ。

第四條ハ單独不協和關係ニ係リテ、一國ヲ帝
國ト全然對シニ取扱ヒ其同盟義務ニ忠實トシ
トシ誠意ヲ示スベキトナリ。

第五條ハ有效期間ニ関スルヲ本條約ハ十年間
有効トシ締約國ハ期間満了前更新關係協議
スベキトナリトナリ。秘密ヲ解ス事項、條約
實施關スル事項ヲ收メテテ第一項ハ帝國ハ
一國、其他同盟國ニ協力スル旨ヲ記シ居リ
ヌ。

此處ニ失地トナリ、主トシ英國ニ奪ハラルニ
及「アール」ニ奪ハラル失地ヲ念頭ニ置キテ
モナリ。

第三項ハ帝國ト米英ト間ニ既ニ戰事狀
態が存在スルニ依リテ、一國ハ即時帝國對シ
支援ヲ為スベキト規定シ居リヌ。之ハ條約
第三條、適用上當然トナリ又同條
不取協カ事項關シ部令ニ有ラニ支援ヲ為
スベキトナリ以上言フ迄ニテテ、明確ニ
テ事實ト成リテ規定スルベキトナリ。第三項

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十二月八日、協定内容が本條約ニ包攝セリ
シモノナリ之ヲ本條約實施ト同時ニ終了セ
シメトスルニテ右協定、同盟條約成立迄、暫
定のモノトシ條約調印ト同時ニ之ヲ失効セシメ
今後關係文書、公表スルガ旨ニトシテ
ス。

三 結 語

以上ヲ以テ十二月八日、協定及今同新ニ署名調
印セシモノトシ同盟條約ニ付テ、大體、説明ヲ終リ
タ。宜敷御審議ヲ願ヒス。